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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-10-00395 PJH
)	
v.)	STIPULATION AND ORDER
)	EXCLUDING TIME FROM DECEMBER
JAMES DELBERT MCCONVILLE,)	2, 2010 TO JANUARY 20, 2011 FROM
a/k/a Delbert James McConville,)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. §§ 3161(h)(7)(A) and (B))
Defendant.)	
)	
)	

The parties are currently set for status before Magistrate Judge Donna M. Ryu on December 2, 2010, for status. The defense recently finished a trial on another case and is continuing to review the voluminous discovery in this case. Because the defense needs more time to review the discovery, the parties stipulate and request that the status hearing on December 2, 2010, should be continued to January 20, 2011 and that time between these dates should be excluded for the effective preparation of counsel. The parties further agree that it is unreasonable to expect adequate preparation for pretrial proceedings or trial within the time limits of the Speedy Trial Act.

The parties therefore stipulate to the following:

SO STIPULATED.

/s/
KESLIE STEWART
Assistant United States Attorney

/s/

DAVID KENNER
 Counsel to Defendant McConville

Based on the stipulation of the parties and good cause appearing, the Court finds that the ends of justice served by excluding the period from December 2, 2010, through January 20, 2011, from Speedy Trial Act calculations outweighs the interests of the public and the defendant in a speedy trial by allowing time for the defense effectively to prepare the complex case, in accordance with 18 U.S.C. § 3161(h)(7)(A) and (B).

IT IS SO ORDERED.


HON. DONNA M. RYU
United States Magistrate Judge